

Case No. 16-55689

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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IN RE NATIONAL LABOR RELATIONS BOARD

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D. BAILEY MANAGEMENT COMPANY, Petitioner,

v.

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF  
CALIFORNIA, Respondent,

NATIONAL LABOR RELATIONS BOARD, Real Party in Interest.

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From United States District Court  
Central District of California  
The Honorable Christina A. Snyder, Presiding  
Case No. 2:16-cv-02156-CAS(AFMx)

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**STIPULATED MOTION TO VOLUNTARILY DISMISS APPEAL**

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Regina Petty (SBN 106163)  
FISHER & PHILLIPS, LLP  
4747 Executive Drive, Suite 1000  
San Diego, California 92121  
T: (858) 597-9600, F: (858) 597-9601

Wendy McGuire Coats (SB# 240674)  
FISHER & PHILLIPS, LLP  
One Embarcadero Center, Suite 2050  
San Francisco, California 94111  
T: (415) 490-9000, F: (415) 490-9001

Kristen J. Nesbit (SBN 242426)  
FISHER & PHILLIPS, LLP  
444 S. Flower Street, Suite 1590  
Los Angeles, CA 90071  
T: (213) 330-4500, F: (213) 330-4504

Christopher M. Ahearn (SB# 239089)  
FISHER & PHILLIPS LLP  
2050 Main Street, Suite 1000  
Irvine, California 92614  
T: (949) 851-2424, F: (949) 851-0152


*Attorneys for Petitioner, D. BAILEY MANAGEMENT COMPANY*

Pursuant to Federal Rule of Appellate Procedure 42(b), all parties hereby move the Court for an order dismissing the above-captioned appeal.

The parties have agreed that each side shall bear its own costs and fees on appeal.

DATED: June 10, 2016

FISHER & PHILLIPS LLP

By: 

Wendy McGuire Coats

Regina Petty

Kristen J. Nesbit

Christopher M. Ahearn

*Attorneys for Petitioner*

*D. Bailey Management Company*

DATED: June 10, 2016

NATIONAL LABOR RELATIONS  
BOARD

By: 

Dawn L. Goldstein

Kevin P. Flanagan

Rachel V. See

*Attorneys for Respondent*

*National Labor Relations Board*

### **CERTIFICATE OF SERVICE**

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at a whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Fisher & Phillips, LLP, One Embarcadero Center, Suite 2050, San Francisco, CA 94111.

On Fri, Jun 10, 2016, I served the following document(s):

#### **STIPULATED MOTION TO VOLUNTARILY DISMISS APPEAL**

I served the above listed document(s) described via the United States District Court of Appeals for the Ninth Circuit by using the CM/ECF system. The Court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document(s). Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities.

Brian Dee Gee  
brian.gee@nlrb.gov  
Anne J. White  
anne.white@nlrb.gov  
Rodolfo L. Fong-Sandoval  
rudolf.fong-sandoval@nlrb.gov  
National Labor Relations Board  
Region 31  
11500 Wet Olympic Blvd.  
Suite 700  
Los Angeles. CA 90064-1824

*Attorney for Applicant*  
*NATIONAL LABOR RELATIONS*  
*BOARD*

Tel: (310) 235-7351  
Fax: (310) 235-7420

Alejandro A. Ortiz  
alejandro.ortiz@nlrb.gov  
National Labor Relations Board  
26 Federal Plaza  
Suite 3614  
New York, NY 10278

*Attorney for Applicant*  
*NATIONAL LABOR RELATIONS*  
*BOARD*

Tel: (212) 264-0326  
Fax: (212) 264-2450

Dawn Goldstein  
dawn.goldstein@nlrb.gov  
Kevin Patrick Flanagan  
kevin.flanagan@nlrb.gov  
Rachel V. See  
rachel.see@nlrb.gov  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570

*Attorney for Applicant*  
*NATIONAL LABOR RELATIONS*  
*BOARD*

Tel: (202) 273-3848  
Fax: (202) 273-4244

Kristen J. Nesbit  
knesbit@laborlawyers.com  
Jina Lee  
jlee@laborlawyers.com  
Fisher & Phillips LLP  
444 S. Flower St.  
Suite 1590  
Los Angeles, CA 90071

*Attorneys for Respondent,*  
*D. BAILEY MANAGEMENT*  
*COMPANY*

Tel: (213) 330-4500  
Fax: (213) 330-4501

Wendy McGuire Coats  
wcoats@laborlawyers.com  
Fisher & Phillips LLP  
One Embarcadero Center, Suite 2050  
San Francisco, California 94111

*Attorney for Respondent,*  
*D. BAILEY MANAGEMENT*  
*COMPANY*

Telephone: (415) 490-9000  
Facsimile: (415) 490-9001

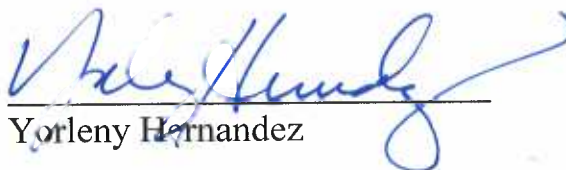
Christopher M. Ahearn  
cahearn@laborlawyers.com  
Fisher & Phillips LLP  
2050 Main Street, Suite 1000  
Irvine, California 92614

*Attorney for Respondent,*  
*D. BAILEY MANAGEMENT*  
*COMPANY*

Telephone: (949) 851-2424  
Facsimile: (949) 851-0152

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 10, 2016 at San Francisco, California.

  
Yorleny Hernandez